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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 KINDRA NICHOLE McMANN,

11 Plaintiff,

12 v.

13 MICHAEL J. ASTRUE, Commissioner of
the Social Security Administration,

14 Defendant.
15

CASE NO. 11-cv-05864 JRC

ORDER GRANTING
DEFENDANT'S STIPULATED
MOTION FOR REMAND

16 This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local
17 Magistrate Judge Rule MJR 13. (See also Notice of Initial Assignment to a U.S. Magistrate
18 Judge and Consent Form, ECF No. 3; Consent to Proceed Before a United States Magistrate
19 Judge, ECF No. 7.) This matter is before the Court on defendant's stipulated motion to remand
20 the matter to the Commissioner for further consideration. (ECF No. 20.)

21 Based on the relevant record and the stipulation of the parties, it is hereby ORDERED
22 that the above-captioned case be reversed and remanded pursuant to sentence four of 42 U.S.C.
23 § 405(g) for further administrative proceedings.
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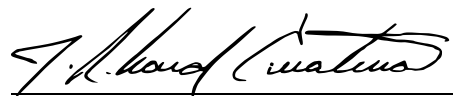
1 On remand by the Court, the Appeals Council will remand this case to an Administrative
2 Law Judge ("ALJ") for further proceedings, including a *de novo* hearing and a new decision,
3 The Appeals Council will instruct the ALJ to: offer the claimant an opportunity for another
4 hearing; consider further the claimant's testimony and any lay witness statements; consider
5 further the claimant's residual functional capacity; and, obtain vocational expert evidence. The
6 ALJ should determine whether or not that evidence is consistent with the Dictionary of
7 Occupational Titles, and if it is not, the ALJ should resolve any differences.

8 This Court further recommends that the ALJ take any other actions necessary to develop
9 the record. In addition, plaintiff should be allowed to submit additional evidence and arguments
10 to the ALJ on remand.

11 Reasonable attorney's fees shall be awarded, following proper application, pursuant to
12 the Equal Access to Justice Act, 28 U.S.C. § 2412.

13 The Court hereby orders that the case be **REVERSED** and **REMANDED** pursuant to
14 sentence four of 42 U.S.C. § 405(g).

15 Dated this 24th day of April, 2012.

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17 J. Richard Creatura
18 United States Magistrate Judge
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